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Law and Parliamentary Affairs Secretariat

Notification No. LAW 26 LCA 78, Bangalore, dated 11th May 1978.

Ordered that the Constitution (Forty-third Amendment) Act, 1977 published in Part II, Section 1 of the **Gazette of India,** Extraordinary, dated 13th April, 1978 be republished in the **Karnataka Gazette** for general information.

By Order and in the name of the Governor of Karnataka,

A. NEELAKANTARYA,
Under Secretary to Government,
Department of Law and Parly. Affairs.

Assented to on 13th April 1978

THE CONSTITUTION (FORTY-THIRD AMENDMENT) ACT, 1977

AN

ACT

further to amend the Constitution of India

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows :—

1. Short title.—This Act may be called the Constitution (Forty-third Amendment) Act, 1977.

2. Omission of article 31D.—Article 31D of the Constitution shall be omitted.

3. Omission of article 32A.—(1) Article 32A of the Constitution shall be omitted.

(2) Any proceedings pending before the Supreme Court under article 32 of the Constitution immediately before the commencement of this Act may be dealt with by the Supreme Court as if the said article 32A had been omitted with effect on and from the 1st day of February, 1977.

4. Omission of article 131A.—(1) Article 131A of the Constitution shall be omitted.

(2) Notwithstanding anything contained in sub-section (1), where immediately before the commencement of this Act any reference made by a High Court under the said article 131A is pending before the Supreme Court, the Supreme Court may, having regard to—

(a) the stage at which the reference is so pending; and

(b) the ends of justice,

either deal with the case as if that article had not been omitted or return the case to the High Court for disposal as if that article had been omitted with effect on and from the 1st day of February, 1977.

5. Omission of article 144A.—(1) Article 144A of the Constitution shall be omitted.

(2) Any case pending before the Supreme Court immediately before the commencement of this Act may be dealt with by the Supreme Court as if the said article 144A had been omitted with effect on and from the 1st day of February, 1977.

6. Amendment of article 145.—In article 145 of the Constitution,—

(a) in clause (1), in sub-clause (cc), for the words, figures and letters "articles 131A and 139A", the word, figures and letter "article 139A" shall be substituted;

(b) in clause (2), the words, figures and letter "article 144A and of" shall be omitted;

(c) in clause (3), the words, figures and letter "Subject to the provisions of article 144A," shall be omitted.

7. Amendment of article 226.—In article 226 of the Constitution in clause (1), the words, figures and letters "but subject to the provisions of article 131A and article 226A" shall be omitted.

8. Omission of article 226A.—(1) Article 226A of the Constitution shall be omitted.

(2) Any proceedings pending before a High Court under article 226 of the Constitution immediately before the commencement of this Act may be dealt with by the High Court as if the said article 226A had been omitted with effect on and from the 1st day of February, 1977.

9. Amendment of article 228.—In article 228 of the Constitution, in the opening portion, the words, figures and

letter ", subject to the provisions of article 131A," shall be omitted.

10. Omission of article 228A.—(1) Article 228A of the Constitution shall be omitted.

(2) Any case pending before a High Court immediately before the commencement of this Act may be dealt with by the High Court as if the said article 228A had been omitted with effect on and from the 1st day of February, 1977.

11. Amendment of article 366.—In article 366 of the Constitution, clause (4A) and clause (26A) shall be omitted.

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